



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Vehicle Modification Company
File: B-233725
Date: December 12, 1988

DIGEST

Protest of rejection of bid as late, filed more than 10 working days after receipt of rejection notice from contracting officer is untimely.

DECISION

Vehicle Modification Company (VMC) protests the rejection of its bid as late under invitation for bids (IFB) No. DAAA03-88-R-0036 issued by the Pine Bluff Arsenal, Department of the Army, for two mobile laboratories.

We dismiss VMC's protest.

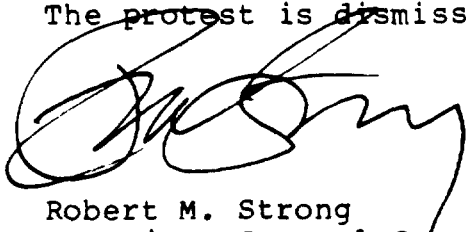
Bid opening was September 29, 1988. By letter dated October 18, 1988, the Army notified VMC that its bid was rejected for being late. On November 29, VMC filed its protest of the Army's rejection here.

Our Bid Protest Regulations require that a protest of other than an apparent solicitation impropriety be filed within 10 working days after the basis of the protest is known or should have been known, whichever is earlier. 4 C.F.R. § 21.2(a)(2) (1988); A-Supply Line, Inc., B-230922, Apr. 8, 1988, 88-1 CPD ¶ 354. VMC had notice of the rejection of its bid when it received the Army's letter dated October 18. In the absence of evidence to the contrary, we assume that mail is received within 1-calendar week from the date it was

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sent. Republic Maintenance of Kentucky, Inc., B-231123,
June 2, 1988, 88-1 CPD ¶ 524. VMC's protest to GAO, filed
November 29, more than a month after it was aware of the
basis for its protest, is therefore untimely.

The protest is dismissed.

A handwritten signature in black ink, appearing to read "R. Strong", is written over the text "The protest is dismissed." and partially over the name "Robert M. Strong".

Robert M. Strong
Associate General Counsel